

Revision Checklist 157 Summary

Rule Title:	Land Disposal Restrictions -- Phase IV: Treatment Standards for Wood Preserving Wastes, Paperwork Reduction and Streamlining, Exemptions From RCRA for Certain Processed Materials; and Miscellaneous Hazardous Waste Provisions
Checklist Title:	Land Disposal Restrictions -- Phase IV
Reference:	62 <u>FR</u> 25998-26040
Promulgation Date:	May 12, 1997
Effective Date:	August 11, 1997 for all provisions, except §§148.18(b) and 268.30(b) which are effective May 12, 1999.
Cluster:	RCRA Cluster VII
Provision Type:	HSWA
Linkage:	Revision Checklists 34, 39, 50, 63, 66, 83, 100, 102, 103, 106, 109, 116, 123, 124, 137, 151, 162, 167A-C, and 179
Optional:	No

Summary: This rule finalizes treatment standards for hazardous waste generated from wood preserving operations and makes a uniform change to the standard for wastes from products of chlorinated aliphatics which carry the F024 waste code. It also 1) revises the land disposal restrictions to reduce paperwork, 2) finalizes the decision to employ polymerization as an alternative treatment method, 3) clarifies an exemption for de minimis amounts of characteristic wastewaters and 4) excludes processed circuit boards and scrap metal from RCRA regulation. This rule also discusses the Agency's decision not to ban certain wastes from biological treatment.

State Authorization: This rule is placed in RCRA Cluster VII. The State modification deadline is July 1, 1998 (or July 1, 1999 if a State statutory change is necessary). This rule contains HSWA provisions. These provisions take effect on this rule's effective date in authorized states. Unauthorized states may not implement in lieu of the EPA, but may enforce these standards as state law. States may apply for interim or final authorization, however, interim authorizations will expire January 1, 2003. The State Revision application must include applicable regulations, an AG statement addendum, Revision Checklist 157, other associated checklists and other application materials, i.e., a program description and an MOA, as determined by the Regional office.

Attorney General's Statement Entry: The following entries should be placed at Subsections XXI (V)-(Y) in the Model Revision Attorney General's Statement.

V. State statutes and regulations prohibit the land disposal of the wood preserving waste F032, F034 and F035 by August 11, 1997, and also prohibit any soil and debris and radioactive waste mixed with above chemicals from land disposal effective May 12, 1999. In

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between these effective dates, mixtures may only be land disposed if the facilities follow certain procedures included in State statutes and regulations as indicated in Revision Checklist 157.

Federal Authority: RCRA §§3004(d)-(k) and (m); 40 CFR 268.30(a)-(e) and 268.40 as amended May 12, 1997 (62 FR 25998).

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

W. State statutes and regulations include revisions of record keeping and paperwork requirements indicated in Revision Checklist 157. State statutes and regulations also include revisions to update the land disposal restrictions to better reflect the current program, as indicated in Revision Checklist 157.

Federal Authority: RCRA §§3004(d)-(k) and (m); 40 CFR 268.4(a)(2)(iv), 268.4(a)(4), 268.7(a)-(c)(2), 268.9(a), 268.9(d)(1)(ii), 268.32, 268.34-268.37, 268.44(o), and Part 268 Appendices I-III, VI, VIII and X, as amended May 12, 1997 (62 FR 25998).

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

X. State statutes and regulations include revisions introducing polymerization as an alternative treatment method as indicated in Revision Checklist 157.

Federal Authority: RCRA §§3004(d)-(k) and (m); 40 CFR 268.42 table 1 as amended May 12, 1997 (62 FR 25998).

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

Y. State statutes and regulations include revisions which indicate that the *de minimis* provision applies to minor losses of characteristic wastes as indicated in Revision Checklist 157.

Federal Authority: RCRA §§3004(d)-(k) and (m); 40 CFR 268.1(e)(4) as amended May 12, 1997 (62 FR 25998).

Citation of Laws and Regulations; Date of Enactment and Adoption

Revision Checklist 157 Summary (cont'd)Remarks of the Attorney General

The following entry should be placed at Subsection I (KK) in the Model Revision Attorney General's Statement.

KK. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations include revisions of the exclusion of scrap metal and circuit boards from RCRA regulation as indicated in Checklist 157.

Federal Authority: RCRA §§3001; 40 CFR 261.1(c)(9)-(12), 261.2(c) table 1, 261.4(a)(13), 261.4(a)(14), 261.6(a)(3)(ii) as amended May 12, 1997 (62 FR 25998).

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

Incorporation by Reference Guidance: The dates given at 268.30 are HSWA dates and should not be replaced with the State regulatory effective date.